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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,836	01/23/2002	Tomoyuki Kojima	P67569US0	5678

7590 07/10/2003

JACOBSON HOLMAN  
PROFESSIONAL LIMITED LIABILITY COMPANY  
400 Seventh Street, N.W.  
Washington, DC 20004

EXAMINER

TANG, MINH NHUT

ART UNIT PAPER NUMBER

2829

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/059,836

Applicant(s)

KOJIMA, TOMOYUKI

Examiner

Minh N. Tang

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. Figures 3 and 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakawa (U.S.P. 6,479,777) in view of admitted Prior Art Figs. 3 and 4.

As to claims 1 and 4, Yamakawa discloses, in Fig. 7 and 8, work transfer apparatus comprising: a rotatable turn table (40) with a plurality of work-storing pockets

Art Unit: 2829

(40a, or 2) for storing works (C) at the outer periphery of the turn table (40); a base (41) slidably supporting the works (C) stored in the work-storing pockets (40a, or 2) of the turn table (40). Yamakawa does not explicitly show a probing detector provided in the base, capable of protruding upwardly so as to come in contact with the works stored in the work-storing pockets, wherein an entire portion of the base which comes in contact with the works is made of insulant material. The admitted Prior Art Figs. 3 and 4 disclose a work transfer apparatus (1) comprising a probing detector (6) provided in the base (4), capable of protruding upwardly so as to come in contact with the works (W) stored in the work-storing pockets (2). It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the apparatus of Yamakawa by providing the probing detector in the base so that it would be used for measuring electrical characteristics of the works stored in the work-storing pockets. Furthermore, since Yamakawa also shows in Fig. 9, the base (41) having a pair of contact electrodes (50, 51) connected to distal electrodes (54, 55) via through-hole electrodes (52, 53), respectively, for electrical connection between measurement terminals (18, 19) of a measurement circuit (20) and external electrodes (c1, c2) of the work (C); therefore it would have been obvious that the base (41) would make of insulating material so that short circuit would not appear between the electrodes.

As to claim 2, Yamakawa in view of the admitted Prior Art Figs. 3 and 4 disclose the probing detector (6) is disposed in a hole portion provided in the insulant material constituting the base (41).

Art Unit: 2829

As to claim 3, Yamakawa discloses the base (41) includes an insulant material portion (i.e., portion underneath the work-storing pockets (40a, or 2) on the turn table side and a holding portion (i.e., the entire portion of the base 41) holding the insulant material portion.

As to claim 5, Yamakawa discloses in Fig. 7, the insulant material portion (i.e., portion underneath the work-storing pockets (40a, or 2) has a ringed shape.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Braden	5,673,799	Machine For Testing And Sorting Capacitor Chips And Method Of Operating Same.
Hamuro et al.	4,978,913	Apparatus For Measuring Characteristics Of Chip Electronic Components.
Riley	4,940,935	Automatic SMD Tester.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh N. Tang whose telephone number is (703) 305-1652. The examiner can normally be reached on M-F (6:30-4:00) first Fri. Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Cuneo, Kamand can be reached on (703) 308-1233. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3432 for After Final communications.

Art Unit: 2829

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3431.



Minh Tang  
June 25, 2003



KAMAND CUNEO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800